

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1313

4
5 By: Representatives DeLay, Thomas, Milum, and Hendren
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For An Act To Be Entitled

8
9 "AN ACT TO LIMIT PUNITIVE DAMAGES; AND FOR OTHER
10 PURPOSES."

Subtitle

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13 "AN ACT TO LIMIT PUNITIVE DAMAGES."
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. (a) This section applies to all cases in which a party
19 requests the recovery of punitive damages in a civil action.

20 (b) Before a person may recover punitive damages in any civil action,
21 that person must establish, by a preponderance of the evidence, all of the
22 facts that are relied upon by that person to support his recovery of punitive
23 damages.

24 (c) A jury in a case subject to this section may not be advised of the
25 limitation on the amount of a punitive damage award under this section.

26 (d) A punitive damage award may not be more than the greater of: (1)
27 three (3) times the amount of compensatory damages awarded in the action; or
28 (2) two hundred fifty thousand dollars (\$250,000). A punitive damage award
29 that exceeds the limitation shall be reduced by the court to the maximum
30 allowable amount.

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32 SECTION 2. All provisions of this act of a general and permanent nature
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
34 Revision Commission shall incorporate the same in the Code.
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36 SECTION 3. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect
 2 other provisions or applications of the act which can be given effect without
 3 the invalid provision or application, and to this end the provisions of this
 4 act are declared to be severable.

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6 SECTION 4. All laws and parts of laws in conflict with this act are
 7 hereby repealed.

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